

Tennessee Commercial Fishing

This synopsis of commercial fishing regulations is valid from March 1, 2004 through February 28, 2005. Changes to these regulations may occur at any time.

Licenses

	<u>Resident</u>	<u>Resident Helper</u>	<u>Non Resident</u>	<u>Non Resident Helper</u>
Commercial Fishing	\$125	\$125	\$500	\$500

Non-Resident Licenses - Tennessee does not offer non-resident commercial fishing licenses to residents of states which do not permit the sale of non-resident licenses to residents of Tennessee.

Before any person, firm, or corporation shall engage in the business of a “commercial fisher” they shall have in their possession the required license. Commercial fishers intending to fish for paddlefish, sturgeon, and/or turtles must obtain a Free Paddlefish, Sturgeon, and/or Turtle Permit (See “Paddlefish”, “Sturgeon”, and “Turtles” in section entitled “Fishes and Other Aquatic Life Which May Be Taken”).

COMMERCIAL FISHING

Commercial Fisher - A commercial fisher is any person who takes or who aids and assists another person in taking fish or other aquatic life from any of the waters, lakes, streams or ponds of this state for pay or for the purpose of sale, barter or exchange. Any person fishing with commercial fishing gear shall be deemed to be a commercial fisher within the meaning of this definition. All persons using fishing tackle or fishing gear other than that permitted to be used by a person having or holding a sport fishing license shall likewise be deemed and considered a commercial fisher within the meaning of this definition.

Commercial Fisher's Helper - A commercial fisher's helper is defined as any person who assists another person in handling fishing gear, operation of motors or any other act of assistance to the commercial fisher while in the vessel with the commercial fisher. A helper's license is issued in the commercial fisher's name. Each commercial fisher must have in their possession a commercial helper's license for each helper on board the vessel at any time. The helper must work in the boat with the commercial fisher whose name is on the helper's license.

FISHES AND OTHER AQUATIC LIFE WHICH MAY BE TAKEN

The following fish species may be taken and sold commercially year-round unless otherwise restricted by proclamation, rule, or statute:

<u>Common Name</u>	<u>Scientific Name</u>
Shovelnose sturgeon	<i>Scaphirhynchus platyrhynchus</i> (Rafinesque)(See special regs in this section)
Paddlefish	<i>Polyodon spathula</i> (Walbaum)(See special regs in this section)
Spotted gar	<i>Lepisosteus oculatus</i> (Winchell)
Longnose gar	<i>Lepisosteus osseus</i> (Linnaeus)
Shortnose gar	<i>Lepisosteus platostomus</i> Rafinesque
Bowfin	<i>Amia calva</i> Linnaeus
Skipjack herring	<i>Alosa chrysochloris</i> (Rafinesque)
Gizzard shad	<i>Dorosoma cepedianum</i> (Lesueur)
Threadfin shad	<i>Dorosoma petenense</i> (Guenther)
Grass carp	<i>Ctenopharyngodon idella</i> (Valenciennes)

Common carp	<i>Cyprinus carpio</i> Linnaeus
♦Silver carp	<i>Hypophthalmichthys molitrix</i> (Valenciennes)
♦Bighead carp	<i>Hypophthalmichthys nobilis</i> (Richardson)
River carpsucker	<i>Carpionodes carpio</i> (Rafinesque)
Quillback	<i>Carpionodes cyprinus</i> (Lesueur)
White sucker	<i>Catostomus commersoni</i> (Lacepede)
Smallmouth buffalo	<i>Ictiobus bubalus</i> (Rafinesque)
Bigmouth buffalo	<i>Ictiobus cyprinellus</i> (Valenciennes)
Black buffalo	<i>Ictiobus niger</i> (Rafinesque)
Spotted sucker	<i>Minytrema melanops</i> (Rafinesque)
Silver redhorse	<i>Moxostoma anisurum</i> (Rafinesque)
Golden redhorse	<i>Moxostoma erythrurum</i> (Rafinesque)
Black bullhead	<i>Ameiurus melas</i> (Rafinesque)
Yellow bullhead	<i>Ameiurus natalis</i> (Lesueur)
Brown bullhead	<i>Ameiurus nebulosus</i> (Lesueur)
▲●Blue catfish	<i>Ictalurus furcatus</i> (Lesueur)
●Channel catfish	<i>Ictalurus punctatus</i> (Rafinesque)
●Flathead catfish	<i>Pylocictis olivaris</i> (Rafinesque)
Freshwater drum	<i>Aplodinotus grunniens</i> Rafinesque
Yellow bass	<i>Morone mississippiensis</i> Jordan, Eigenmannn).

▲The taking and possession of blue catfish and paddlefish from Cherokee Reservoir by commercial fishing methods is prohibited.

●All catfish greater than 34 inches must be released immediately statewide.

♦Silver carp and bighead carp are Class V animals and therefore may not be possessed alive by commercial fishers.

Fish and turtles classified as endangered, threatened, or in need of management as proclaimed by the Tennessee Wildlife Resources Commission may not be taken. These include but are not limited to: lake sturgeon, pallid sturgeon, alligator gar, blue sucker, highfin carpsucker, harelip sucker, blackfin sucker, alligator snapping turtle, and bog turtle.

No catfish less than eight (8) inches in length may be kept alive.

Possession of commercial fishing gear on, or immediately adjacent to, any waters closed due to contamination, or in possession of any species of fish, turtle or other aquatic animal life taken from the waters closed to that species due to contamination is punishable as a Class A misdemeanor. Additionally, such person shall be prohibited from engaging in commercial fishing for not less than three (3) years.

Paddlefish and Sturgeon

Commercial fishers must obtain a free Paddlefish and/or Sturgeon Permit from TWRA prior to harvesting paddlefish and sturgeon from the waters of the State. A free Paddlefish and/or Sturgeon Permit may be obtained by written request to the Fisheries Management Division. Paddlefish and sturgeon or parts thereof (which also includes their eggs) may not be taken during the periods from April 24 through November 14, nor shall they be possessed during these periods unless they were previously taken during a legal taking season. Those persons possessing paddlefish or sturgeon or parts thereof during the period from April 24 through November 14 must have in their possession bills of lading

denoting pounds of flesh or eggs (or both if applicable) in their possession, name and address of supplier/fisher, and date of harvest or date obtained.

Paddlefish must be 34 inches, eye-fork length or blocked (with the tail remaining on the fish) a minimum of 25 inches from the fork of the tail to the flesh behind the gill arch (measured along the side of the fish), to be legal for harvest. Paddlefish less than 34 inches must be returned immediately to the water. Paddlefish 34 inches and larger may not be possessed alive away from the harvested waters. A 2-inch portion of ovary must remain in each harvested paddlefish while on the water or immediately adjacent to the water where harvested. Paddlefish eggs removed from ovaries must be kept in separate containers – eggs from one fish only per container. Paddlefish may not be kept alive except for permitted aquaculture purposes. For species management purposes, TWRA may require Paddlefish and/or Sturgeon Permit Holders to affix sequentially numbered tags to harvested paddlefish and sturgeon. Commercial fishers harvesting paddlefish or parts thereof from the state's waters must tag paddlefish as instructed by TWRA and provide requested information and samples to TWRA. Tags, when required, must remain on the paddlefish and sturgeon until the fish is in the final stage of processing.

Shovelnose sturgeon must be 30 inches or smaller to be legal for harvest. Shovelnose sturgeon greater than 30 inches must be returned immediately to the water.

Any paddlefish and/or shovelnose sturgeon from which eggs are taken must be kept. The cutting or mutilation of paddlefish or shovelnose sturgeon to check for eggs is prohibited. In addition to the required reports and receipts, Paddlefish and/or Sturgeon Permit Holders must provide samples, as instructed, to TWRA along with the tags if they were required. Commercially harvested paddlefish and sturgeon or parts thereof taken from the waters of the state and sold in-state must be marketed to a licensed wholesale fish dealer.

Turtles

Commercial fishers must obtain a free Turtle Permit from TWRA to harvest turtles from the waters of the state. Commercial fishers harvesting turtles or parts thereof from the state's waters must provide requested information to TWRA.

Only the Common Snapping Turtle, *Chelydra serpentina serpentina*, with a carapace (upper shell) length of at least (12) twelve inches, measured front to back, may be taken year-round and statewide without limit by any legal commercial fishing method.

Only at Reelfoot Wildlife Management Area, all sizes and species of turtles except the box turtle and those classified as endangered, threatened, or in need of management as proclaimed by the Wildlife Resources Commission, may be taken by any legal commercial fishing method.

COMMERCIAL FISHING WATERS OPEN

REFUGES

Special regulations on commercial fishing may apply to federal refuges and other areas. Contact the appropriate federal authority for specific regulations for these areas.

Commercial fishing is prohibited within the following refuges: Bean Switch, Hop-In, Maness Swamp, Horns Bluff, Jarrell Switch, Eagle Lake, Lauderdale, Paint Rock, Henderson Island, Kingston, Pardue Pond, Dyson Ditch, Bards Creek, Lick Creek, Hiwassee, Phipps Bend, White Lake, and Lock 5.

RIVERS ("River" means that body of water confined within the identifiable banks. At high river stage, oxbows, sloughs, and backwaters accessible by boat from the river are open to commercial fishing, but are considered private waters and may be fished only with permission of landowner).

1. CLINCH – commercial fishing authorized only downstream from Melton Hill Dam. Gill and trammel nets prohibited.
2. CUMBERLAND - as listed in Reservoir section. Cordell Hull Dam upstream closed.
3. EMORY - open from the Harriman Bridge downstream. Gill and trammel nets are prohibited.
4. FORKED DEER – commercial fishing authorized except that portion of the Middle Fork lying within the boundaries of the Chickasaw National Wildlife Refuge is closed.
5. FRENCH BROAD
6. HARPETH RIVER – commercial fishing authorized only downstream from State Hwy. 49 Bridge, except that trotlines may be fished upstream of the bridge.
7. HATCHIE
8. HIWASSEE – commercial fishing authorized only downstream from U.S. 11 Bridge (Charleston).
9. HOLSTON
10. LOOSA HATCHIE – commercial fishing open only downstream from the new Raleigh-Millington Road Bridge.
11. MISSISSIPPI RIVER – commercial fishing open except that portion from the Mississippi-Tennessee line upstream to Mississippi River Mile 745, marked by the upper or northern tip of Hickman Bar is closed. This closure includes McKellar Lake and Wolf River embayments. Wardlow's Pocket and Wardlow's Pocket Chute (except those portions lying within the boundaries of the Chickasaw National Wildlife Refuge), Heathright Pocket, Cold Creek, Cold Creek Chute, lying within the boundaries of Anderson Tully WMA in Lauderdale County are open; all other ponds, lakes, arms, sloughs, bayous, and pockets within the WMA are closed. These areas are closed due to the contamination of fish. All sturgeon greater than 30 inches must be returned immediately to the water.
12. NOLICHUCKY
13. OBION
14. RED RIVER – commercial fishing authorized only downstream from U.S. Hwy. 41A Bridge, except that trotlines may be fished upstream of the bridge.
15. STONES RIVER – commercial fishing closed from confluence with Cumberland River upstream, except that trotlines may be fished upstream of the Cumberland River confluence.
16. TENNESSEE - as listed in Reservoir section.
17. WOLF - only the section from Germantown Bridge upstream is open to commercial fishing. Gill and trammel nets are prohibited. The section upstream of Bateman Bridge in Fayette County is open for trotlines only. The section from Germantown Bridge downstream to Mississippi River is closed due to chemical pollution.
18. DUCK RIVER - That portion of the Duck River from its confluence with Blue Creek at approximately DRM 13.2 downstream to the Hustburg pipeline crossing is open year-round to trotlines, hoop nets, and slat baskets. The Duck River from DRM 4.0 downstream to the Hustburg pipeline crossing at approximate DRM 1.4 is open to entanglement gear (gill nets and trammel nets) from December 1 through January 15. The rest of Duck River downstream is open year-round to all legal commercial gear types. Duck River upstream from its confluence with Blue Creek is closed to all commercial fishing.

RESERVOIRS – The reservoir boundary for commercial fishing regulations is the full pool elevation unless otherwise specified.

1. BARKLEY (Tennessee portion) - 15,900 acres
 2. CHEATHAM - 7,450 acres
- Commercial fishers must contract with TWRA and abide by the contract provisions as determined by TWRA in order to fish commercially.

3. CHEROKEE - 30,200 acres
Open to trotlines, slat baskets, fyke nets and hoop nets year-round. Trammel and gill nets are prohibited. The taking and possession of blue catfish and paddlefish by commercial fishing methods is prohibited.
4. CHICKAMAUGA - 34,500 acres
5. DOUGLAS - 30,400 acres
Entanglement gear (gill and trammel nets) and hoop nets are prohibited above Point 14 from January through June. Entanglement gear (gill and trammel nets) is prohibited from the mouth to the headwaters of Indian, McGuire, Muddy and Flat creeks from October through February.
6. FORT LOUDOUN - 14,600 acres
The possession of all species of catfish taken by commercial methods from Fort Loudoun Dam upstream to the confluence of the French Broad and Holston rivers is prohibited due to contamination.
7. GUNTERSVILLE (Tennessee portion) - 2,170 acres
8. KENTUCKY (Tennessee portion) - 108,040 acres
Commercial fishing gear and sport fishing trotlines prohibited in the New Johnsonville Steamplant Harbor and within 50 yards of the Danville Railroad Bridge dikes (approximate TRM 78.3). All commercial fishing gear except slat baskets and trotlines is prohibited in all creeks from 4 a.m. to 9 p.m. during the months of April and May; all types of commercial fishing gear are permitted in all creeks from 9 p.m. to 4 a.m. daily during the months of April and May, except that whip sets (the driving of fish into trammel and gill nets by the use of noise and disturbing the water) are not permitted in any creeks which have operating commercial docks. All commercial fishing gear is prohibited within 1,000 yards of Pickwick dam.

The Duck River embayment from DRM 4.0 upstream to its confluence with Blue Creek at approximately DRM 13.2 is closed year-round to all commercial fishing gear types except trotlines, hoop nets and slat baskets. The Duck River embayment from Hustburg pipeline crossing at approximate DRM 1.4 upstream to DRM 4.0 is closed to commercial fishing with entanglement gear (gill nets and trammel nets) except from December 1 through January 15 each year.

Unattended entanglement type commercial fishing gear is prohibited from November 25 through March 15 in waters of the U. S. Fish and Wildlife Service Refuge located within the Big Sandy River embayment and in all of the waters of the West Sandy Creek arm of the Big Sandy River embayment.

9. NICKAJACK - 10,800 acres
10. OLD HICKORY - 22,500 acres
 - a. Trammel and gill nets are prohibited from Highway 231 upstream to the Cordell Hull Dam, including the Caney Fork River.
 - b. Trammel and gill nets prohibited from Highway 109 upstream to 231 except fishing of legal entanglement nets by whipset or trammeling method are permitted by contract with the Tennessee Wildlife Resources Agency. For information on obtaining a contract, write TWRA Region II Office at P.O. Box 41489, Nashville, TN 37204 or phone 1-800-624-7406.
11. PICKWICK (Tennessee portion) - 6,160 acres.
12. REELFOOT - 10,000 acres
 - a. The taking of grass carp (*C. idella*) is prohibited.
13. WATTS BAR - 38,600 acres
Trammel and gill nets are prohibited.
14. JOHN SEVIER - 811 acres
15. DAVY CROCKETT (Greene County) - 797 acres

Commercial Fishing Gear Permitted

Legal gear types are trotlines, slat baskets, hoop nets, fyke nets, trap nets, pound nets, trammel nets, gill nets, seines, cast nets and turtle traps.

Hoop nets, fyke nets, trap nets and pound nets with a mesh size of one (1) inch or smaller on the square may only be fished during the months of October, November, December, January, February, March and April, except, the Mississippi River, where they may be fished year-round.

1. CAST NET

A cast net is defined as a net having a maximum radius of ten (10) feet and a mesh size (square measure) of not less than one-fourth (1/4) inch and not greater than one (1) inch.

2. FISH SEINE

A fish seine consists of a float and lead line to which netting is attached. The netting of the seine shall be constructed of twine not smaller than Number 7 nylon or synthetic fiber or Number 9 cotton or linen. The mesh size of seines shall be three (3) inches or larger on the square. Seines must be constantly attended, and may not be fished in a stationary manner. These seines may be fished in private waters and in waters which are replenished by overflows from the Mississippi, Tennessee, Obion, Hatchie, Wolf, Loosahatchie, and Forked Deer rivers, but which, during the dry season of the year, have no outlet to these rivers. Fish seines as defined here may also be used in the dewatering areas of Kentucky Lake.

3. FYKE NET, TRAP NET AND POUND NET

A fyke net, also known as a wing net, is a hoop net to which as many as three (3) wings or leads may be attached. Trap nets or pound nets which have rectangular or box shaped traps shall also be legal by this definition. The wings or leads are equipped with floats and sinkers, and the webbing of the wings shall be constructed of twine not smaller than Number 7 in nylon or Number 9 in cotton or linen. The maximum length of each wing is 50 feet. The legal mesh size of fyke nets and wings or leads is one (1) inch or smaller or three (3) inches or larger on the square.

4. GILL NET

A gill net is defined as a single net attached to float and lead lines. Gill nets must have a minimum mesh size of three (3) inches on the square or greater. Effective April 24, 2003, gill nets with square mesh greater than 4.0 and less than 6.0 inches are prohibited except on the Mississippi River where square mesh greater than 4.0 and less than 5.0 inches are prohibited with a minimum mesh size of three inches on the square. The maximum length of a gill net is three hundred (300) yards. Gill nets must be fished in a stationary manner except in the Mississippi River. A net may not be hobbled to less than two thirds the height of the net.

5. TRAMMEL NET

A trammel net is defined as a net having three (3) webs (nets) hung to a single top (float) and bottom (lead) line. The two outside webs are called walling, and the inside web is called webbing. The inside webbing shall have a mesh size of not less than three (3) inches on the square. Effective April 24, 2003, webbing with square mesh greater than 4.0 inches and less than 6.0 inches is prohibited except on the Mississippi River where webbing with square mesh greater than 4.0 inches and less than 5.0 inches is prohibited. The outside walling shall have a mesh size of not less than six (6) inches on the square. The maximum mesh size of the outside walling shall consist of vertical ties or hobbles on each side of the webbing at six (6) foot intervals along the float and lead line. A net may not be hobbled to less than two thirds the height of the net. Maximum length of a trammel net is three hundred (300) yards. Trammel nets must be fished in a stationary manner except in the Mississippi River.

6. **HOOP NET**

A barrel shaped net made of synthetic cotton, linen, or nylon and supported by hoops. A hoop net is also known as a barrel net, set net, funnel net, and trap net. One or more throats are attached inside the hoop structure. Legal mesh size of hoop nets is one (1) inch or smaller or three (3) inches or larger on the square. This definition applies to all waters except the Mississippi River.

7. **SLAT BASKET**

A slat basket is defined as a device used for taking non-game or commercial fish only. Slat baskets may have only one outside funnel opening, and may be made of wood, plastic, or cane slats or splits which are placed lengthwise and constructed so that there must be a minimum of four openings, each being at least 1 ½" wide and 6" long, in the catching area.

8. **TROTLINE**

A main line with drop lines to which single hooks are attached and baited in order to catch fish. Such drops must not be closer than 24 inches to each other.

9. **TURTLE TRAPS**

A turtle trap is defined as a trap made of linen or cotton netting, wood or cane slats or strips, wire, or other similar materials with a minimum mesh size of three (3) inches on the square. Such traps must be constructed in a way as to permit the escape of fish through the three (3) inch openings. Turtle traps as defined herein may be used in all commercial waters. Turtle traps must be set so that a portion of the catching area is positioned above the water.

10. **DIP NET**

A dip net is a net constructed from natural or synthetic fibers, which is attached to a frame that is attached to a pole. A dip net may only be used to commercially harvest turtles from Reelfoot Wildlife Management Area.

Regulations Concerning Use of Commercial Gear

No commercial fishing gear may be fished within 100 yards of the mouth of any river, creek, slough, inlet, or outlet, nor shall any commercial fishing gear be set so as to extend more than three-quarters (3/4) across any stream, river, chute, or embayment.

Commercial fishing gear is prohibited within 1,000 yards downstream of any TVA or Corps of Engineers Dam or within 300 yards of any commercial boat dock or resort. For enforcement purposes, wingwalls and lock walls are considered to be part of the "dam", and measurements will be made from their downstream end.

Gill nets, trammel nets, turtle traps, and trotlines must be run at least once every 24-hour period. Other types of commercial fishing gear (slat baskets, hoop nets, fyke nets, trap nets, and pound nets) must be run at least once every 72-hour period.

Each piece of commercial fishing gear, including trotlines fished commercially, shall be marked with a tag securely fastened to the head end of the line or net or to the float. The tag should measure 1 inch by 3 inches or larger. The name and current license number of the commercial fisher using the gear must be on the tag. Tags may be made from metal, plastic, or other non-degradable material. The commercial fisher must furnish the tags.

The possession and/or use of any type of gear, which is not specifically authorized by the Tennessee Wildlife Resources Commission, or which is not properly licensed, is forbidden. No commercial gear may be possessed on, or immediately adjacent to, any body of water where such gear is not authorized.

Any wildlife accidentally taken in connection with a commercial operation under commercial fishing regulations shall be quickly and carefully released with the least possible injury.

It is unlawful for a commercial fisher to possess, while engaging in commercial fishing, any species of fish which cannot legally be taken with commercial fishing gear, except for legally taken bream less than four inches (4") in length which may be used as bait.

Prior to sale to an in-state wholesale fish dealer's business or prior to being marketed out-of-state, paddlefish carcasses may not be altered in a manner that the length of the fish can not be determined (measuring 34 inches from the eye to the fork in the tail or blocked a minimum of 25 inches from the fork in the tail to the flesh behind the gill arch, measured along the side of the fish). Prior to sale to an in-state wholesale fish dealer's business or prior to being marketed out-of-state, shovelnose sturgeon carcasses may not be altered in such a manner that the length of the fish cannot be determined.

Commercial fishers and wholesale fish dealers are required to submit reports to the Tennessee Wildlife Resources Agency on forms provided. Commercial fishers and wholesale fish dealers must contact the Fisheries Management Division at (615) 781-6575 within 5 days upon purchasing a license and request the required forms. In addition to the required reports, Paddlefish and/or Sturgeon Permit Holders must provide samples, as instructed, to TWRA along with the tags if they are required. Tags, when required, must remain attached to the paddlefish and sturgeon until the fish are in the final stage of processing. Commercial fishers marketing out-of-state must provide TWRA with a commercial fish export form and any additional requested information on forms provided by TWRA. Copies of the export form must be submitted to TWRA monthly as instructed. Commercial fishers harvesting turtles or parts thereof from the state's waters must provide requested information to TWRA. Commercial fishers must issue receipts for sales to individuals, businesses, or groups. Copies of the receipts must be submitted to TWRA monthly as instructed.

Wholesale fish dealers must issue a commercial fish receipt to commercial fishers for each transaction in which they purchase fish, turtles, or parts thereof and provide requested information. Wholesale fish dealers, private individuals, and businesses importing paddlefish and sturgeon or parts thereof into Tennessee must have bills of lading denoting pounds of flesh or eggs (both if applicable); name and address of supplier; and date of import. Wholesale fish dealers, private individuals, and businesses importing or purchasing paddlefish and sturgeon and/or eggs for commercial purposes must issue a commercial fish receipt to commercial fishers and provide requested information and samples to TWRA. Wholesale fish dealers must also submit copies of the receipts to TWRA monthly as instructed. Wholesale fish dealers purchasing turtles or parts thereof must provide requested information to TWRA.

Wholesale fish dealers and commercial fishers must maintain records, including receipts, available for audit of sales of paddlefish and sturgeon. These records must contain the quantity of fish or eggs sold and the buyer's address, including city, state, and country.

TENNESSEE WILDLIFE RESOURCES AGENCY

CENTRAL OFFICE

Ellington Agricultural Center

P.O. Box 40747

Nashville, TN 37204

Fisheries Management Division: 615/781-6575

Law Enforcement Division: 615/781-6850

License Section: 615/781-6585

TWRA Fisheries Management Website: <http://www.state.tn.us/twra/fish/fishmain.html>

REGION I

200 Lowell Thomas Drive

Jackson, TN 38301

731/423-5725

Toll Free 1+800+372-3928

REGION II

Ellington Agricultural Center

P.O. Box 41489

Nashville, TN 37204

615/781-6622

Toll Free 1+800+624-7406

REGION III

464 Industrial Blvd.

Crossville, TN 38555

931/484-9571

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REGION IV

3030 Wildlife Way

Morristown, TN 37814

423/587-7037

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